

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Stuart L. Haase,

No. 13-cv-920 (PJS/LIB)

Plaintiff,

v.

REPORT AND RECOMMENDATION

Carolyn W. Colvin,
Acting Commissioner of Social Security,

Defendant.

This matter is before the undersigned United States Magistrate Judge pursuant to a general assignment, made in accordance with the provisions of Title 28 U.S.C. §636(b)(1)(A), and upon general supervision of the cases that pend before the Court, and upon the Hon. Patrick J. Schiltz's Order of Reference. [Docket No. 13] (referring all dispositive and non-dispositive motions).

Stuart L. Haase ("Plaintiff"), proceeding *pro se*, initiated this action on or about April 22, 2013, by filing his Complaint. [Docket No. 1]). Acting Commissioner of Social Security Carolyn W. Colvin ("Defendant" or "Commissioner") filed her Answer, [Docket No. 4], and the Administrative Record, [Docket No. 5], on June 19, 2013. On September 26, 2013, Plaintiff filed a docket styled "Plaintiff's Memorandum in Support of Plaintiff's Motion for Summary Judgment and Notice of Appearance Pro Se," [Docket No. 10], which the Court construes as a Motion for Summary Judgment. (See Order [Docket No. 14]). In response, the Commissioner filed a Motion for Remand, [Docket No. 15], but indicated that Defendant's counsel had been unable to meet-and-confer with Plaintiff regarding the motion.

On November 25, 2013, this Court Ordered the parties to meet-and-confer with regard to Defendant's Motion to Remand, [Docket No. 15], and to inform the Court whether remand was

acceptable to both sides. (Order [Docket No. 16]). Subsequently, on November 27, 2013, the Commissioner notified the Court by Letter, [Docket No. 17], that the parties had met-and-conferred, and that Plaintiff did not object to a remand. On December 2, 2013, the parties filed a Stipulation to Remand. [Docket No. 18]).

Based on the foregoing, and all the files, records and proceedings herein, **IT IS**
HEREBY RECOMMENDED:

1. That the parties' Stipulation for Remand, [Docket No. 18], be **GRANTED**, and that this case be **REMANDED** to the Social Security Administration; and
2. That this case be **DISMISSED without prejudice**.

BY THE COURT:

DATED: December 6, 2013

s/Leo I. Brisbois
LEO I. BRISBOIS
United States Magistrate Judge

NOTICE

Pursuant to Local Rule 72.2(b), any party may object to this Report and Recommendation by filing with the Clerk of Court, and serving all parties **by December 13, 2013**,¹ a writing that specifically identifies the portions of the Report to which objections are made and the bases for each objection. A party may respond to the objections within fourteen days of service thereof. Written submissions by any party shall comply with the applicable word limitations provided for in the Local Rules. Failure to comply with this procedure may operate as a forfeiture of the objecting party's right to seek review in the Court of Appeals. This Report and Recommendation does not constitute an order or judgment from the District Court, and it is therefore not directly appealable to the Court of Appeals.

¹ Ordinarily, in accordance with Local Rule 72.2(b)(1), the Court allows the parties fourteen (14) days to object to a Report and Recommendation. However, because this Report and Recommendation is made pursuant to the parties' Stipulation, [Docket No. 18], the Court finds that seven (7) days is sufficient time for any objections.